

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA
DIVISION

§ 2241 HABEAS CORPUS PETITION FORM
TO BE USED BY PRISONERS IN ACTIONS UNDER 28 U.S.C. § 2241
OR IN ACTIONS CHALLENGING REMOVAL PROCEEDINGS

_____,
Inmate/Alien # _____.

_____.
(Enter full name of Petitioner,
prison number or alien [A] number, if applicable,
AND address of place of confinement.)

vs.

CASE NO: _____
(To be assigned by Clerk)

_____,
_____,
_____,
_____,
_____.

(Enter name and title of each Respondent.
If additional space is required, use the blank
area below and directly to the right.)

ALL APPLICANTS MUST COMPLETE THIS ENTIRE FORM

ANSWER ALL OF THE FOLLOWING:

1. This petition concerns (check where applicable):
 - (a). a conviction
 - (b). a sentence
 - (c). prison disciplinary action or other action resulting in lost gain time credits
 - (d). parole
 - (e). immigration/removal
 - (f). other (explain): _____

2. Provide the following information regarding the conviction(s) and sentence(s) for which you are presently incarcerated:
 - (a). Name(s) and location(s) of court:
 - (b). Case Number(s):
 - (c). Charge(s) for which you were convicted:
 - (d). What was your plea? (Check one)
 - (1) Not Guilty
 - (2) Guilty
 - (3) Nolo contendere

 - (e). Did you appeal from the judgment of conviction? Yes No

3. If you did appeal, answer the following:
 - (a) Name of Court: _____ Case #: _____
 - (b) Result: _____
 - (c) Date of opinion and mandate (citation, if known): _____

4. Claims that challenge your conviction or imposition of sentence can only be raised by motion under 28 U.S.C. § 2255 unless the § 2255 motion is inadequate or ineffective to test the legality of your detention. If any of the grounds raised above challenge your conviction or sentencing:
 - (a) Have you filed a motion under 28 U.S.C. § 2255?
 Yes No

 - If yes, please provide the case #, where filed, relevant date(s), and the results: _____

 - (b). Explain why the remedy under § 2255 was or is inadequate or ineffective: _____

5. Are you currently represented by counsel in this case or in any other court case?

Yes No

If yes, please explain: _____

6. If this case concerns removal proceedings:

(a) Date of final order of removal: _____

(b) Did you file an appeal with the Board of Immigration Appeals? Yes No

7. In the spaces below, set forth every ground which supports your claim that you are incarcerated unlawfully. Briefly summarize the specific facts in support of each ground raised. Conclusions that are not supported by specific facts are insufficient. You may attach additional pages if necessary to raise additional grounds or provide additional facts. Do not cite any law in your statement of facts.

(a). Ground one: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any

appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) -

Did you present ground one to the Board of Immigration Appeals? Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s).

(b). Ground two: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any

appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) -
Did you present ground one to the Board of Immigration Appeals? Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s).

(c). Ground three: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any

appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) -
Did you present ground one to the Board of Immigration Appeals? Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s).

(d). Ground four: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s).

(e). Ground five: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s).

(f). Ground six: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

Exhaustion:

[1] - Have you presented ground one to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s). Include any appeals: _____

[2]-(Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present ground one to the Board of Immigration Appeals? Yes No

If yes, please provide the results of the proceeding(s) and the relevant date(s).

8. WHEREFORE, based upon the grounds raised above, Petitioner prays that the court will grant the following relief:

DECLARATION

I declare under penalty of perjury that I have read the above and the information contained herein is true and correct.

(Date)

Signature of Petitioner

IF MAILED BY PRISONER:

I declare or state under penalty of perjury that this petition was (check one):

delivered to prison officials for mailing, or deposited in the prison's internal mail system on: _____(date).

Signature of Petitioner